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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,781	02/28/2002	Monika Sandman	URUSAN 01	2047

27460 7590 01/26/2005

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EXAMINER

TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,781

Applicant(s)

SANDMAN, MONIKA

Examiner

Cam Y T Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, and 7-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Applicant has amended claims 1-4, 7, 11, 12, 17, 19-21 and canceled claim 6 in the amendment filed on 8/24/2004. Claims 1-5 and 7-21 are pending in this Office Action.

Applicant's arguments with respect to claims 1-5 and 7-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5, and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffer (US 5799151) in view of Rofrano (USP 6035283).

As to claim 1, Hoffer teaches the claimed limitations:

"creating a secondary classification set defining a new classification field" as producing a classification set such a section, a chapter, a heading and sub heading for (col. 8, lines 50-65);

"mapping selected classification numbers from the list of classification numbers in one of said HTS and ECCN onto said secondary classification set" as mapping

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numbers of product classifications of HTS to a section, a chapter, a heading and sub-heading (col. 7, lines 40-55).

“creating a decision tree for said selected classification numbers in said secondary set” as a user interface, consisting of a hierarchy of menus, allows a user to select a topic board by Index Number and then to review and post messages that are transmitted instantly. The user interface typically prompts the user to enter input for the first digit, for the second digit and for the last two digits of the Index Number to navigate to a selected topic board. Users may select messages with headers that include sub-topic numbers, geographic codes, time/date designations, unique legend strings or other descriptor (col. 6, lines 64-67; col. 7, lines 1-5).

“creating a questionnaire corresponding to said decision tree” as creating a menu that includes a question to allow a user select (col.8, lines 40-40);

“presenting a user the questionnaire and obtaining the user’s response to said questionnaire regarding a user’s item to be classified” as (col. 9, lines 15-40).

Hoffer does not explicitly teach the claimed limitation “using the user’ response to generate a single classification number from said secondary classification set for the user’s item”. Church teaches SIC codes and the descriptions of the items identified by a particular SIC code are established by the Executive Office of the President in the Office of Management. The above information shows that the system has to receive user’s item to create codes as numbers for each item (col. Left, liens 42-45).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Church’s teaching of SIC codes and the descriptions of the

items identified by a particular SIC code are established by the Executive Office of the President in the Office of Management to Hoffer's system in order to allow a user to search/retrieve or exchange products on Internet without conflicting.

As to claim 2, Hoffer teaches the claimed limitation "wherein said selected classification numbers comprises a subset of said item classification number of one of HTS and ECCN" as (col. 19, lines 30-40)

As to claim 3, Hoffer teaches the claimed limitation "providing a transfer function, said transfer function enabling deciding, for each classification number in said classification set, whether it should be included in said secondary classification set" as (col. 8, lines 45-67).

As to claim 4, Hoffer teaches the claimed limitation "wherein each of said item numbers in said list of item numbers further includes an item description, and wherein said mapping selected item numbers further comprises, at least for some of the item numbers, changing said item description" as (col. 14, lines 45-67).

As to claim 5, Hoffer teaches the claimed limitation "wherein said questionnaire is constructed in the form of a computer user interface" as (col. 8, lines 15-40).

As to claim 7, Hoffer teaches the claimed limitation "a subset of said one of HTS, HTSUS, and country specific HTS" as (col. 7, lines 45-46).

As to claim 8, Hoffer and Church discloses the claimed limitation subject matter in claim 5, Church further teach the claimed limitation "wherein said user interface further comprises a display field for applicable regulations" as (fig. 5).

As to claim 9, Hoffer and Church discloses the claimed limitation subject matter in claim 5, Church further teach the claimed limitation "wherein said user interface further includes a keyword field for keyword search of said decision tree" as (figs. 4&8).

As to claim 10, Hoffer and Church discloses the claimed limitation subject matter in claim 5, Church further teach the claimed limitation "wherein said user interface comprises hypertext" as (fig. 8).

4. Claims 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffer (US 5799151) in view of Perkowski (US 5950173).

As to claim 11, Rivette teaches the claimed limitations:

"creating a secondary classification set" as producing a classification set such a section, a chapter, a heading and sub heading for (col. 8, lines 50-65);

"creating a decision tree for said selected item numbers" as a user interface, consisting of a hierarchy of menus, allows a user to select a topic board by Index Number and

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then to review and post messages that are transmitted instantly. The user interface typically prompts the user to enter input for the first digit, for the second digit and for the last two digits of the Index Number to navigate to a selected topic board. Users may select messages with headers that include either sub-topic numbers, geographic codes, time/date designations, unique legend strings or other descriptor (col. 6, lines 64-67; col. 7, lines 1-5);

“mapping selected tariff numbers from one of the HTS and ECCN onto said secondary classification set” as mapping numbers of product classifications of HTS to a section, a chapter, a heading and sub-heading (col. 7, lines 40-55);

“crating a decision tree for said selected tariff numbers” (fig. 5, col. 8, lines 10-40);

“creating a questionnaire corresponding to said decision tree” as (col. 8, lines 10-40). Hoffer does not explicitly teach the claimed limitation “wherein a user’s response to said questionnaire leads to only a single tariff number from said secondary classification set”. Hoffer teaches the HTS topic boards system includes country codes from different countries (col. 8, lines 10-60). Perkowski teaches displaying a list of product number after a user requests. Product number is represented as a single tariff number (fig. 4A1).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Perkowski’s teaching of displaying a list of product number after a user requests to Hoffer’s system in order to allow a user to search/retrieve products on Internet quickly and correctly without conflicting.

As to claim 12, Hoffer teaches the claimed limitation "a subset of one of said HTS and ECCN" as (col. 8, lines 55-65).

As to claim 13, Hoffer teaches the claimed limitation "wherein said questionnaire comprises questions requiring no knowledge of the HTS" as (col. 1, lines 1, lines 64-67 col. 2, lines 1-10).

As to claim 14, Hoffer teaches the claimed limitation "wherein said secondary classification set comprises blocks of classification items, each block corresponding to a different item class" as (col. 14, lines 35-67).

As to claim 15, Hoffer and Perkowski discloses the claimed limitation subject matter in claim 5, Perkowski further teach the claimed limitation "wherein said questionnaire is constructed in the form of a computer user interface comprising hypertext" as (col. 19, lines 5-10).

As to claim 16, Hoffer teaches the claimed limitation, further comprising using a company's business information to construct a transfer function, and using said transfer function to perform said mapping selected tariff numbers" as (col. 8, lines 10-60).

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As to claim 17, Hoffer teaches the claimed limitation "wherein said secondary classification set comprises blocks of classification items, each block corresponding to different item class; wherein said transfer function maps selected items from one of said HTS and ECCN onto a selected one of said blocks of classification items" as (fig. 2, col. 8, lines 50-67).

As to claim 18, Hoffer teaches the claimed limitation "wherein said decision tree is constructed in the form of an organization chart" as (col. 8, lines 50-67).

5. Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rivette et al (or hereinafter "Rivette") (USP 6339767) in view of Hoffer (USP 5799151) and Rofrano.

As to claim 19, Rivette teaches the claimed limitations:

"at least one classification block, said classification block having selected HTS tariff numbers mapped thereto from a country specific tariff numbers mapped thereto from one of the Harmonized Tariff System (HTS and Export Control Commodity Number (ECCN)" as the system does not teach HTS. However, the system teach creating a classification set such as Assignee table, patent_class_type, Patent_class_xref. Each classification set has a list of new classification field. For example, Assignee table has several classification field as Assignee_ID, Document_ID. as an assignee table 1201 includes information on the assignees of a patent. A given patent may have multiple assignees. For each assignee of a patent, there is a record in

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the assignee table 1201. Each record of the assignee table 1201 also includes information, state information, the name of the assignee, and the city and zip code of the assignee. The above information indicates that the system mapping each selected record numbers such as zip code of the assignee from a patent in classification set assignee table 1201 (col. 59, lines 35-65, fig. 85);

(fig. 12B& 58, col. 60, lines 5-20);

“a decision tree for said classification blocks” as creating a tree for patent numbers (fig. 122).

Rivette does not explicitly teaches the claimed limitation

“a user interface enabling progression in said decision tree; wherein when operated, said computer program causes a computer to perform the functions comprising: enabling a user of said computer to assign a single tariff number to an import item by performing the functions comprising: asking the user to respond to questions relating to the characteristics of the imported item in order to progress through the decision tree and to arrive at an appropriate tariff number”. Hoffer teaches HTS (col. 7, lines 45-46). Rofrano teaches customer interaction with current electronic catalog systems follows one of a plurality of pre-set paths along a decision tree, with the customer input typically being limited to responses to pre-defined choices. Interactive on-line catalog sales applications utilize user responses to questions. Such system frequently attempts to direct the information retrieval by first gathering information about the customer and the customer's needs, before posing specific product question. The above information

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shows that the system creating a list of questions corresponding to a decision tree (col. 1, lines 1, lines 64-67 col. 2, lines 1-10).

It would have been obvious to a person of an ordinary skill in the art at the invention was made to apply Hoffer's teaching of HTS and Rofrano's teaching of customer interaction with current electronic catalog systems follows one of a plurality of pre-set paths along a decision tree, with the customer input typically being limited to responses to pre-defined choices. Interactive on-line catalog sales applications utilize user responses to questions. Such system frequently attempt to direct the information retrieval by first gathering information about the customer and the customer's needs, before posting specific product question to Rivette's system in order to assist and quite actual customers to products that they will most likely be interested searching/retrieving to maintain product information on Internet without conflicting.

As to claim 20, Rivette, Hoffer and Rofrano disclose the claimed limitation subject matter in claim 19, Rofrano further teaches claimed limitation "wherein said classification blocks are expandable". Rofrano teaches catalog tree (col 1, lines 64-67; col. 2, lines 1-10).

As to claim 21, Rivette, Hoffer and Rofrano disclose the claimed limitation subject matter in claim 19, Hoffer further teach the claimed limitation "wherein the tariff numbers mapped onto said classification blocks comprise a subset of said country

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specific HTS tariff numbers". Hoffer teaches HTS category numbers and country (col. 7, lines 40-67; col. 8, lines 1-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Hoffer's teaching of HTS category numbers and a country in HTS to Rivette's system and Rofrano's system in order to classify establishments in all fields of economic activity and define industries in accordance with composition and structure of the economy for retrieving/searching quickly and to provide with full shipping charges for the delivery of selected goods so that the shipping costs are paid as part of the overall price of the goods selected.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cam-Y Truong
Patent Examiner
Art Unit 2162
1/13/2005


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PRIMARY EXAMINER